

REPORT BY THE
AUDITOR GENERAL
OF CALIFORNIA

**IMPLEMENTATION OF CALIFORNIA'S
MOTORCYCLE SAFETY PROGRAM**

REPORT BY THE
OFFICE OF THE AUDITOR GENERAL
TO THE
JOINT LEGISLATIVE AUDIT COMMITTEE

P-357
IMPLEMENTATION OF CALIFORNIA'S
MOTORCYCLE SAFETY PROGRAM

MARCH 1984



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March 2, 1984

P-357

Honorable Art Agnos, Chairman
Members, Joint Legislative
Audit Committee
State Capitol, Room 3151
Sacramento, California 95814

Dear Mr. Chairman and Members:

The Office of the Auditor General presents its report concerning the implementation of California's Motorcycle Safety Program. The Office of Traffic Safety complied with federal and state requirements in contracting for the program, and the records of the contractor indicate that the contractor complied with all but one of the major contract requirements. However, the Office of Traffic Safety has not verified the contractor's progress or assessed program results.

Respectfully submitted,


THOMAS W. HAYES
Auditor General

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SUMMARY

The Office of Traffic Safety (OTS) entered into two contracts with the Motorcycle Safety Foundation (MSF) to develop California's Motorcycle Safety Program and establish a continuing training program that would not require further federal or state funds. The OTS complied with federal and state requirements in letting a 1980 contract for \$368,591 and a 1982 contract for \$299,096. Further, MSF and OTS records indicate that the contractor fulfilled all but one of the major contract requirements. However, because the OTS performed limited verification and assessment of program results, the State does not have adequate assurance that the Motorcycle Safety Program will be self-sustaining and provide training to a significant number of motorcyclists.

Compliance with Contracting Requirements

The OTS followed federal and state procedures in contracting with the MSF to implement the Motorcycle Safety Program. The OTS included the training program in the California Highway Safety Plan and obtained approval to use federal funds for the program. The OTS also followed procedures specified in the State Administrative Manual.

The OTS determined that sole-source contracts with the MSF were required because the MSF was the only nationwide organization that had the full support of the American Motorcycle Association and major motorcycle manufacturers, was experienced in developing training sites, could provide the MSF instruction curriculum including quality control of the training, and would provide limited support to the sites when federal funding was discontinued. The Department of General Services approved the sole-source contracts.

Contractor Compliance

According to its records, the MSF met all primary objectives of the 1980 contract except the requirement to have 60 self-supporting training sites in operation by December 31, 1981. The main objectives of the 1980 contract were to develop, implement, and administer the Motorcycle Safety Program to train novice riders. The MSF was to assist 40 existing training sites, develop 20 new training sites, and provide technical or administrative assistance to all 60 sites to assist them in becoming self-supporting. According to MSF and OTS records, the MSF found that only 28 sites actually existed; the contractor provided grants to 27 of the 28 sites, developed and provided grants to 32 new sites, and enrolled over 14,000 students through 1981. However, not all the sites were self-supporting at the end of the first contract, and a second contract was required.

The objectives of the 1982 contract were to continue assisting the training sites in becoming self-supporting and to train at least 7,500 students. The OTS extended the 1982 contract through 1983 at no additional cost to the State to further assist the sites in becoming self-supporting. MSF records indicate that about 10,000 students were enrolled during 1982 and approximately 7,000 had enrolled through the first 10 months of 1983. The second contract terminated on December 31, 1983. Although the MSF had not issued its final report at the time of this review, the OTS has not identified any instances in which the MSF failed to comply with the second contract.

Limited Verification and Evaluation

The OTS is required to monitor the progress and expenditures of a contractor and to assess the contractor's performance. However, the OTS has not verified the MSF's statistics on the number of training sites and the number of students trained. The OTS reviewed the MSF's progress reports but did not verify that the information was accurate. In addition, the OTS performed only one operational review during the

four-year period covered by the two contracts. Although the OTS reviewed the MSF's claims for reimbursement, the OTS did not verify the claims because the contractor's records are kept in Pennsylvania. Moreover, the OTS did not request an interim audit of the first contract as required by its Grant Program Manual. Although the OTS requested a final audit of the first contract and an interim audit of the second contract, the OTS did not receive these audits until 21 months after the first contract ended. Federal auditors who performed the audits, however, found that the MSF's claims were allowable.

Because of limited resources, the OTS does not intend to verify the overall program results to determine if the program will be self-sustaining and if the sites will train a significant number of students without federal or state support. In addition, the OTS does not plan to evaluate the effectiveness of the Motorcycle Safety Program in reducing motorcycle accidents and fatalities. The MSF, however, plans to evaluate the program in its final report to the OTS.

Because the OTS has not conducted an independent evaluation of the Motorcycle Safety Program, valuable information may not be available on which to base future decisions or legislation concerning motorcycle safety training. We recommend that the OTS evaluate results of the Motorcycle Safety Program by thoroughly reviewing the MSF's self-evaluation and by verifying the number of self-supporting sites and the number of students being trained.

INTRODUCTION

Title 23, Section 402, of the United States Code, requires each state to have a highway safety program to reduce accidents, deaths, injuries, and property damage caused by traffic accidents. Section 402 of the code also requires the governor of each state to be responsible for the administration of the program through a state highway safety agency. In California, the Secretary of the Business, Transportation and Housing Agency administers the traffic safety program through the Office of Traffic Safety (OTS).

The OTS approves all state and local highway safety projects supported by federal grants, coordinates ongoing traffic safety projects, and annually updates the California Highway Safety Plan by collecting proposals for highway safety projects from state and local agencies. After the Governor and the U.S. Secretary of Transportation approve the highway safety plan, the federal government provides funds to the OTS under the National Highway Safety Act.

When an agency's project is included in the highway safety plan and approved for federal traffic safety grants, the OTS assigns a regional coordinator to assist the agency in developing a contract between the agency and the OTS that describes what is to be accomplished, funds required, and methods of evaluating the project. Allowable project costs include salaries, fringe benefits, travel expenses, and contractual services. For fiscal year 1982-83, the OTS was authorized 28 positions

to coordinate and administer over 150 safety projects that required the obligation of approximately \$13 million in federal funds.

The OTS uses these federal funds for projects predominantly in programs for police traffic services, alcohol and drug abuse, and traffic engineering. The OTS also uses federal funds for projects such as the Department of Motor Vehicles' evaluation of the Motorcycle Operator Skill Test. California's Motorcycle Safety Program is one of the highway safety projects administered by the OTS.

The State's effort to provide training for motorcyclists resulted in part from statistics showing that motorcyclists represent a high percentage of the State's traffic fatalities. In 1978, for example, 11 percent of California's fatal accidents involved motorcycles, even though less than 5 percent of the vehicles registered in the State were motorcycles. According to the OTS, studies showed that an "overwhelming number" of motorcycle accidents involved inexperienced motorcycle riders.

The current Motorcycle Safety Program evolved from earlier training programs in public schools. In Chapter 695 of the Statutes of 1976, the Legislature required the State Department of Education to establish standards governing traffic safety education and to establish motorcycle instruction courses. These projects were supported by federal funds issued through the OTS from fiscal year 1976-77 through fiscal year 1979-80. In addition, the OTS contracted with the State Department of Education in fiscal year 1977-78 to implement a motorcycle safety

education program. Under the contract, the State Department of Education was to develop 40 motorcycle training sites throughout the State at a total cost of approximately \$308,000. OTS records indicate that when the contract expired on February 28, 1980, the Department of Education had established 46 motorcycle training sites. The sites were located at fifteen adult schools, eight colleges, eight military installations, six police installations, two high schools, and seven other locations.

When the contract with the State Department of Education expired, the OTS entered into two consecutive sole-source contracts (contracts let without competitive bidding) with the Motorcycle Safety Foundation (MSF), a national nonprofit organization that had previously been a consultant to the Department of Education and the OTS. The first contract, let on January 1, 1980, required the MSF to implement and coordinate a program to train motorcycle riders at 60 training sites, support existing and new training sites, and assist the sites in becoming self-supporting without federal or state support. The training sites were to use the MSF curriculum for beginners, which consisted of eight hours of classroom instruction and twelve hours of instruction on a motorcycle riding range. The cost of the contract was \$367,501 for the period ending February 28, 1982.

In December 1981, the OTS awarded a second contract to the MSF with a maximum price of \$299,096. This contract, which was to expire on December 31, 1982, was extended through December 31, 1983, at no additional cost to the State. The emphasis of the second contract was on expanding the training program, training 7,500 students, and continuing to assist sites in becoming self-supporting. This contract expired December 31, 1983.

The OTS does not intend to contract for further assistance for the Motorcycle Safety Program. The OTS expects costs for motorcycle safety training to be covered by course fees at each site and by contributions from private enterprise.

SCOPE AND METHODOLOGY

This analysis answers questions from the Legislature concerning the contracts between the Office of Traffic Safety and the Motorcycle Safety Foundation. The Legislature asked us to examine the appropriateness of the contracts, determine whether program expenditures were consistent with federal and state requirements, and assess the OTS' administration of the contracts.

In performing this review, we examined federal and state requirements for motorcycle safety training programs. We also examined documents pertaining to the legality and justification of the sole-source contracts with the MSF. Further, we reviewed the requirements of the

contracts, the MSF's performance in meeting the requirements, and the MSF's expenditures. In addition, we determined how the OTS monitored the MSF's performance and approved the contractor's claims for reimbursement.

We interviewed staff and reviewed correspondence and other documents at the OTS. We also interviewed the MSF's staff, reviewed the training site files located at the MSF's Sacramento office, and visited some motorcycle training sites to verify the data we found at the OTS and the MSF. Further, we telephoned a sample of training sites to verify OTS and MSF records and to determine if the sites are still operational and self-supporting.

In the following sections, we discuss the appropriateness of the contracts, the MSF's compliance with the requirements, and the OTS' verification of the MSF's performance. We also include a table listing the 57 training sites that MSF files showed to be operating in October 1983 and the number of students enrolled at each site at any time from January 1, 1983, through September 30, 1983. (This table is provided in the appendix.)

ANALYSIS

I

THE OFFICE OF TRAFFIC SAFETY COMPLIED WITH FEDERAL AND STATE REQUIREMENTS IN CONTRACTING FOR THE MOTORCYCLE SAFETY PROGRAM

The Office of Traffic Safety (OTS) followed federal and state procedures in contracting with the Motorcycle Safety Foundation (MSF) to implement the Motorcycle Safety Program. The OTS determined that sole-source contracts with the MSF were required, and the Department of General Services agreed with that determination.

The OTS complied with federal and state requirements by including the Motorcycle Safety Program in the California Highway Safety Plan and by obtaining approval to use federal grant funds for the program. The OTS' Grant Program Manual, which is based on federal and state regulations and procedures, states that federal funds can be used by the OTS for contractual services in implementing an approved highway safety project. Furthermore, the OTS complied with contracting procedures in the State Administrative Manual.

According to the Department of General Services, the OTS' justification for letting sole-source contracts was adequate. The justification stated that the MSF is the only nationwide motorcycle safety organization that has the full support of the American Motorcycle Association and the major motorcycle manufacturers. The justification

further stated that the MSF is able to aid the local training sites technically and financially whereas the State would not be able to do so. The justification also stated that when federal funds are discontinued, the MSF will continue to provide the sites with support such as quality control of the training courses and limited coordination and promotion of the training program. The reasons given for the State's not providing the service included the following: the State lacks trained personnel to develop training sites and control the quality of instruction using the MSF curriculum; there are no provisions for state funds; and the State is not dedicated to continuing the Motorcycle Safety Program when federal funds are discontinued.

II

RECORDS OF THE MOTORCYCLE SAFETY FOUNDATION INDICATE THAT IT COMPLIED WITH ALL BUT ONE OF THE MAJOR CONTRACT REQUIREMENTS

According to its records, the MSF met all primary objectives of the first contract except the requirement to have 60 self-supporting training sites in operation by December 31, 1981. Under the second contract that expired on December 31, 1983, the MSF further assisted training sites in becoming self-supporting and continued the coordination and expansion of the Motorcycle Safety Program. The MSF had not submitted its final report at the time of our review. Although the OTS has conducted only a limited assessment of the MSF's performance, the OTS has not identified any instances in which the MSF failed to meet the objectives of the contract.

Compliance with the First Contract

The first contract required the MSF to establish an office for coordinating the statewide Motorcycle Safety Program; the office would also assist in developing and promoting training sites in California. In addition, the contract required the MSF to accomplish the following: assist at least 40 sites already existing to train a minimum of 48 students each per year; develop at least 20 new training sites and assist these sites in training a minimum of 48 students per site during each site's first year of operation; provide the MSF's training curriculum and

assure the quality of instruction at existing and proposed sites; and assist all 60 sites in becoming self-supporting by December 31, 1981. The MSF was to be reimbursed for personnel costs, travel expenses, training site assistance, and other direct costs, not to exceed a total of \$368,591.

To meet the requirements of the contract, the MSF established the Motorcycle Safety Program in February 1980. MSF records show that coordination and quality control of the program were accomplished by providing the sites with the MSF's training curriculum and by repeated telephone contacts with the sites, site visits, and newsletters. The MSF promoted the program through the use of a statewide toll-free phone number, distribution of brochures and posters, through contact with the motorcycle trade press, and through radio and television programs. The Department of Motor Vehicles, the California Department of Transportation, motorcycle dealers, and numerous other agencies associated with motorcycles also provided promotional assistance.

The MSF reported that the training sites trained over 14,000 students during the first contract period. We could not confirm the number of students trained, however, because files at the MSF lacked many of the monthly training reports that sites are required to submit to the MSF. Also, some training sites did not have complete records on the number of students trained. Staff at the MSF told us that in some cases the figure for the number trained was based on telephone calls to the sites.

The MSF's expenditures were consistent with the cost categories in the contract. In November 1983, at the request of the OTS, federal auditors audited records located at the MSF's national headquarters in Pennsylvania. The federal auditors reported that the \$367,501 claimed and billed by the MSF represents allowable costs under the contract.

According to the MSF, the MSF could not meet the requirement to assist at least 40 existing sites because the MSF found that only 28 sites were actually in operation in February 1980. The MSF reported that it provided grant assistance totaling \$30,745, (\$27,057 in OTS funds and \$3,688 in MSF funds) to 27 of the 28 sites and concentrated on developing enough new sites to meet the commitment to have 60 self-supporting sites in operation by December 31, 1981. The MSF reported developing 32 new sites (12 more than the minimum required by the contract) and providing these sites grant assistance totaling \$51,446, (\$43,535 in OTS funds and \$7,911 in MSF funds).

Although the MSF reported assisting 59 of the training sites with grant aid, not all of the sites were self-supporting at the end of the contract period. The MSF's final report on the first contract did not state how many of the sites were self-supporting, but it did identify several problems that may have kept some of the sites from becoming self-supporting. The problems included the following: the MSF had to develop more new training sites than the contract specified; instruction at training sites was initially poor and administration at the sites was initially inadequate; training sites failed to use MSF publicity and

promotion programs; and site administrators were not business oriented and did not devote enough time to make the program effective. In light of these problems, the MSF proposed that the OTS extend the MSF project.

Compliance with the Second Contract

In December 1981, the OTS let a second contract with the MSF for a one-year period to expand and improve the Motorcycle Safety Program. The second contract focused on improving site administration and on training students. The second contract required the MSF to accomplish the following: train 7,500 novice and experienced riders at a ratio of seven novice riders to one experienced rider; provide technical and administrative assistance to all training sites that would result in a 40 percent increase in the number of students trained statewide; provide start-up and expansion costs to qualifying, existing, and new training sites so that the sites would be self-supporting by December 31, 1982; and certify 80 instructors. The MSF was to be reimbursed for personnel costs, travel expenses, grant assistance, consultant services, instructor workshops, and other direct costs, total reimbursement not to exceed \$299,096.

Before the end of the contract period, the OTS approved a one-year extension, at no additional cost to the State, with a new termination date of December 31, 1983. The OTS' justification for the extension stated that the extension was needed because implementation of the 1982 contract had been delayed for three months, the extension would

allow the MSF to further assist the training sites during the transition from relying on grant assistance to becoming self-supporting, and the experience gained by the sites during the transition period would be valuable in preparing the evaluation and recommendations that are required in the MSF's final contract report. The justification further stated that the experience gained by the sites during the extension would be useful in developing other self-supporting training sites.

MSF documents indicate that the MSF continued to support the training sites throughout the second contract period through site visits and technical assistance. The records indicate that the MSF held instructor workshops, certified 88 instructors as of November 1983, and provided grant assistance totaling \$73,884 to 19 sites during 1982.

MSF files also indicate that 10,220 students enrolled for training during 1982; as of October 1983, approximately 7,000 students had enrolled for training in 1983. We found that the number of students who completed the courses is slightly less. The MSF defines the number of students trained as the number of students who enrolled rather than the number of students who graduated. To estimate the ratio of graduated to enrolled students, we reviewed a sample of 107 monthly training reports submitted by ten training sites in 1982 and nine training sites in 1983. We found that about 89 percent of the students who enrolled in the program went on to graduate; this would indicate that more than 9,000 of the 10,220 students enrolled in 1982 completed the training and graduated. This figure exceeds the minimum of 7,500 students required by

the contract. However, according to some instructors we interviewed, these figures include a few students who were counted more than once because they repeated the course or because they enrolled, dropped out, and then enrolled again.

MSF records and reports indicate that the MSF met the objective of increasing the number of students trained statewide by 40 percent. A MSF training log indicated that about 22,000 students had been enrolled in motorcycle training programs from 1978 through 1981. The 10,000 students that the MSF reportedly enrolled in 1982 represent 45 percent of 22,000 students enrolled prior to 1982. Thus, the number of students enrolled during the second contract period appears to have exceeded the 40 percent increase required by the contract.

The MSF's expenditures during the second contract were consistent with the contractual cost categories. Federal auditors provided an interim audit of the MSF's records through September 30, 1983, and reported that the expenditures and claims totaling \$282,326 represent allowable costs. As of December 1983, the OTS had not identified any problem in the MSF's meeting the objectives of the contract; the MSF's final report was due 30 days after completion of the contract. However, as we discuss in the next section, the OTS has performed only a limited assessment of the MSF's performance.

III

THE OFFICE OF TRAFFIC SAFETY HAS NOT VERIFIED OR ASSESSED PROGRAM RESULTS

Although the Office of Traffic Safety is required to monitor a contractor's progress and expenditures to insure adequate compliance with contracts, the OTS has conducted only a limited verification of the performance of the Motorcycle Safety Foundation. The OTS did not verify MSF statistics on the number of training sites and the number of students trained. In addition, the OTS intends neither to verify whether the training sites will be able to train a significant number of students without federal or state support nor to evaluate the Motorcycle Safety Program effectiveness in reducing the number and severity of motorcycle accidents. As a result, future decisions or legislation concerning motorcycle safety may be made without the benefit of an independent verification and evaluation of the Motorcycle Safety Program.

Limited Verification

The OTS' Grant Program Manual requires the OTS to monitor a contractor's progress and expenditures by reviewing the contractor's quarterly reports, reviewing the contractor's operations, reviewing reimbursement claims, and requesting and reviewing interim and final audits of the contractor's claims. The OTS must also prepare quarterly reports on the contractor's progress. In addition, the OTS' planning

document for the Motorcycle Safety Program states that the effectiveness of the program in reducing motorcycle accidents and fatalities will be evaluated in a separate project.

The OTS has conducted only a limited verification of the MSF's performance. The OTS staff told us that the OTS prepared quarterly progress reports based on quarterly reports submitted by the MSF to determine if the project was on schedule and if the work accomplished conformed to contractual requirements. According to OTS staff, the OTS reviewed all of the MSF's quarterly reports. However, we could not confirm this information because four of the OTS's quarterly progress reports were missing. Moreover, in reviewing the MSF quarterly reports, the OTS did not verify the MSF's information, such as the number of training sites and the number of students trained.

In addition, the OTS has not conducted all of the required reviews of the MSF's operations. Reviews of the MSF's operations are to be conducted at the MSF's office to monitor project activity and determine if the MSF is complying with the terms of the contract. Although the OTS' Grant Program Manual requires these operational reviews at least once a year, the OTS reviewed the MSF's operations only once during the four-year period covered by the two contracts.

Further, the OTS did not verify the MSF's claims for reimbursement. The OTS' Grant Program Manual requires the OTS to review each reimbursement claim for completeness and accuracy and to determine

if project expenditures are allowable and consistent with budget estimates. The OTS reviewed the MSF's claims but did not verify the claims because the MSF's records are kept at the MSF's national headquarters in Pennsylvania.

Finally, the OTS has not requested all audits that are required by its Grant Program Manual. The manual requires the OTS to request an interim audit following receipt of a contractor's first claim for reimbursement and a final audit following receipt of the final claim. The OTS did not request an interim audit of the first contract, but the OTS did request that the federal government perform a final audit of the first contract four months after the contract was completed. At that time, the OTS also requested an interim audit of the second contract. The federal auditors did not complete the audits until 21 months after the expiration date of the first contract and one month prior to the expiration date of the second contract. Although the audits were not conducted promptly, the auditors found that the MSF's claims were allowable under the terms of the contract.

As indicated above, the OTS accepted the statistics on the MSF's reports without verifying the MSF's performance. Furthermore, the OTS does not intend to determine if the training sites are self-supporting and if the sites will continue to train a significant number of students without federal or state aid. OTS staff said they did not verify the MSF's reports because they believe that the MSF's data are reliable. However, as pointed out earlier, we could not verify the MSF's

statistics on the number of students trained. The OTS' assistant director stated that the OTS' workload is too heavy to permit the OTS to verify the data from the MSF. The assistant director said that OTS personnel who are responsible for coordinating safety programs coordinate approximately 40 traffic safety projects each.

Limited Evaluation

The OTS does not intend to verify the overall effectiveness of the Motorcycle Safety Program in reducing motorcycle accidents and fatalities. OTS staff told us that the only way to verify the effectiveness of the program would be to compare graduates of the program with a control group of motorcyclists who have not had motorcycle safety training. The OTS believes that in order to have a good evaluation, the control group should consist of persons who want training but are denied this training. It would not be proper, according to the OTS, to deny motorcycle safety training to members of the control group who wanted the training. However, we believe that the effectiveness of the program could be evaluated by other methods.

Although the OTS does not plan to evaluate the effectiveness of the Motorcycle Safety Program, the MSF is planning to provide an evaluation of the program in its final report to the OTS. An MSF representative told us that as of December 1983, the MSF had spent about \$16,000 for studies on the effectiveness of the program. About \$8,000 of this amount was charged to the OTS' contract line item "consulting

services"; the MSF provided the remainder of the funds. We could not determine the extent of the evaluation being conducted because the MSF had not yet released the studies.

Need for Independent Review

Independent evaluations of the Motorcycle Safety Program would be of value in planning future traffic safety projects. In 1980, Governor Brown vetoed Senate Bill 468, which provided for establishing and funding of motorcycle rider education in community colleges and adult schools in California. The Governor's veto message stated that because the OTS was establishing a motorcycle rider education program that would be self-supporting, it would not be appropriate to establish a state-operated program without first making a detailed review of the OTS' program.

An independent review would also be useful because it is unclear how many motorcycle training sites actually exist and how many students are being trained. According to the MSF, there were 57 training sites in operation as of October 1983. However, 12 of those 57 sites did not report any training in the first nine months of 1983. We have already noted that the number of training sites the OTS thought to be in existence when it entered into its first contract with the MSF proved to be inaccurate. In early 1980, the State Department of Education stated that 46 sites existed; shortly thereafter, the MSF found that only 28 sites existed.

Finally, an independent review is needed because in the last four years, the State has spent almost \$600,000 in federal funds to develop training sites that would be self-sustaining. Without independent reviews, the OTS cannot ensure that the objective of these expenditures has been achieved. A program evaluation is needed to assess whether the sites will be self-sustaining and whether they will provide safety training to a significant number of motorcyclists.

IV

CONCLUSION AND RECOMMENDATION

The Office of Traffic Safety complied with federal and state procedures in contracting with the Motorcycle Safety Foundation to implement the Motorcycle Safety Program. According to its records, the MSF met all but one of the major requirements of the first contract; the MSF did not have 60 self-supporting training sites in operation by December 31, 1981. As of December 1983, the OTS had not identified any instances in which the MSF failed to comply with the second contract, which terminated on December 31, 1983. The OTS does not intend to contract for any additional support for the Motorcycle Safety Program.


The OTS conducted limited verification of the MSF's performance, and it did not verify MSF statistics on the number of training sites and the number of students trained. In addition, the OTS does not intend to determine if the training sites will continue to train a significant number of students without federal or state support. Moreover, the OTS does not intend to evaluate the effectiveness of the program in reducing motorcycle accidents and fatalities.

RECOMMENDATION

Because an evaluation of the Motorcycle Safety Program would be valuable for future decisions about motorcycle safety projects or legislation concerning motorcycle safety training, the Office of Traffic Safety should evaluate the Motorcycle Safety Program by thoroughly reviewing the Motorcycle Safety Foundation's self-evaluation and by verifying the number of sites that are self-supporting and the number of students being trained.

We conducted this review under the authority vested in the Auditor General by Section 10500 et seq. of the California Government Code and according to generally accepted governmental auditing standards. We limited our review to those areas specified in the audit scope section of this report.

Respectfully submitted,


THOMAS W. HAYES
Auditor General

Date: February 27, 1984

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February 17, 1984

Mr. Thomas W. Hayes
Auditor General
Office of the Auditor General
660 'J' Street, Suite 300
Sacramento, CA 95814

Dear Mr. Hayes:

We have completed our review of the Office of the Auditor General's audit report on two Office of Traffic Safety (OTS) contracts with the Motorcycle Safety Foundation.

First let me comment on the lack of an OTS evaluation. The reason an evaluation was not incorporated in these two contracts is that the National Highway Traffic Safety Administration (NHTSA) was going to conduct an evaluation of the motorcycle training course used by the Motorcycle Safety Foundation. NHTSA, however, found it impossible to conduct this evaluation because of the difficulties with establishing a valid control group.

Additionally, the Office of Traffic Safety has two comments on the second paragraph on page 18:

1. The sentence starting on the sixth line of that paragraph should read, "The Office of Traffic Safety believes that in order to have a good evaluation, the control group should consist of persons who want training but are denied this training."*
2. OTS is not aware what other methods exist to evaluate the effectiveness of the program as stated in the last sentence of this paragraph.

OTS will evaluate the motorcycle safety program conducted under these two contracts by reviewing the Motorcycle Safety Foundation's self evaluation of the contract.

* Auditor General's Note: The text of the final report was changed in response to this comment.

Mr. Thomas W. Hayes
Auditor General
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These two contracts showed the difficulty in establishing continuing self-supporting motorcycle safety programs.

Mr. Peter O'Rourke, Director of the Office of Traffic Safety, is available to meet with you or your staff to answer any further questions you might have regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kirk", written in dark ink.

KIRK WEST
Secretary

Enclosure

due 2-14-84

CALIFORNIA LEGISLATURE—1983-84 REGULAR SESSION

ASSEMBLY BILL

No. 2489

Introduced by Assembly Member Floyd

January 25, 1984

An act to add Division 16.9 (commencing with Section 39500) to the Vehicle Code, relating to vehicles, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2489, as introduced, Floyd. Motorcyclist Safety Program.

(1) Nothing in existing law requires the establishment of a state program to sponsor and coordinate motorcyclist awareness efforts, sponsor research into effective communication techniques to reach highway users on matters of motorcyclist safety, and provide financial or other support to projects aimed at enhancing motorcycle operation or safety.

This bill would establish such a program, to be known as the California Motorcyclist Safety Program. The program would be administered by a California Motorcyclist Safety Commission appointed by the Governor. The commission membership would represent specified groups and agencies, and would provide program services solely through contracting with, or providing grants to, other public and private agencies. Funding for the program would be provided by a \$2 fee to be included with motorcycle registrations. The bill would create the California Motorcyclist Safety Fund and would continuously appropriate the money in the fund to the commission for purposes of the program.

(2) Article XIII A of the California Constitution requires any change in state taxes enacted for the purpose of increasing revenues to be passed by at least a $\frac{2}{3}$ vote.

By increasing motorcycle registration fees in the manner proposed by the bill, the bill would thereby increase a state tax within the meaning of Article XIII A of the California Constitution.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Division 16.9 (commencing with Section
2 39500) is added to the Vehicle Code, to read:

3
4 DIVISION 16.9. CALIFORNIA MOTORCYCLIST
5 SAFETY PROGRAM
6

7 39500. It is the intent of the Legislature, in enacting
8 this division, to promote projects that enhance awareness
9 of motorcycle operator safety, which shall be directed at
10 both motorists and motorcyclists.

11 39501. (a) A California Motorcyclist Safety
12 Commission is hereby created. The commission shall
13 consist of 13 members appointed by, and serving at the
14 pleasure of, the Governor. One member of the
15 commission shall be appointed to represent each of the
16 following:

- 17 (1) Department of the California Highway Patrol.
- 18 (2) Department of Transportation.
- 19 (3) Department of Motor Vehicles.
- 20 (4) Department of Education or the Board of
- 21 Governors of the California Community Colleges.
- 22 (5) National motorcycle safety organizations.
- 23 (6) Motorcycle riding instructor organizations.
- 24 (7) Organizations of motorcycle riders. The member
25 shall be selected from among nominees of these
26 organizations that have statewide membership.
- 27 (8) Motorcycle dealer organizations. The member
28 shall be selected from among nominees of these
29 organizations that have statewide membership.
- 30 (9) Motorcycle manufacturers.
- 31 (10) Automobile associations.

1 (11) Organizations of insurers.

2 (b) The commission shall additionally include two
3 public members, at least one of whom shall have a class
4 4 driver's license or a class 4 endorsement on another
5 class of driver's license. Not less than seven members of
6 the commission shall have a class 4 driver's license or a
7 class 4 endorsement on another class of driver's license.

8 39502. The commission may, through contracts with
9 other public agencies or with private entities, do all of the
10 following:

11 (a) Provide financial or other support to projects
12 aimed at enhancing motorcycle operation or safety,
13 including, but not limited to, rider training programs.
14 The rider training programs shall comply with criteria
15 which the commission, in consultation with other state
16 agencies and national motorcycle safety organizations,
17 may adopt to provide validated rider safety training
18 programs in the state.

19 (b) Sponsor and coordinate efforts aimed at increasing
20 motorists' awareness of motorcyclists.

21 (c) Sponsor research into effective communication
22 techniques to reach all highway users on matters of
23 motorcyclist safety.

24 39503. The commission shall not directly manage or
25 provide program services. Any program service financed
26 under this division shall be provided under contractual
27 arrangements or grant funding. All public agencies
28 assisting or providing program services under this
29 division may be fully reimbursed for their costs by the
30 commission. The commission shall monitor and evaluate
31 any contracts or grants executed pursuant to this division
32 to ensure that the provisions of the contracts or grants are
33 adhered to by the recipients.

34 39504. The California Motorcyclist Safety Fund is
35 hereby created, and the money in the fund is hereby
36 continuously appropriated to the Commission to fund
37 programs established by the commission pursuant to
38 Section 39502 and to defray necessary administrative
39 expenses incurred by the commission, including the cost
40 of employing necessary staff.

1 39505. The department shall, in addition to other fees
2 under this code, collect a fee of two dollars (\$2) upon
3 initial registration and renewal of registration of every
4 motorcycle subject to registration fees. These additional
5 fees shall be deposited in the California Motorcyclist
6 Safety Fund.

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MOTORCYCLE SAFETY TRAINING SITES OPERATING
IN OCTOBER 1983 AND STUDENTS ENROLLED
JANUARY 1, 1983 THROUGH SEPTEMBER 30, 1983*

Training Sites by Category	County	Students Enrolled	
		Beginners Course	Advanced Course
<u>Schools</u>			
1. Berkeley Adult School	Alameda	33	0
2. College of the Redwoods	Humboldt	0	0
3. Cal Poly Extended Education	San Luis Obispo	0	0
4. DeAnza Community College	Santa Clara	0	0
5. El Cajon Adult School	San Diego	64	11
6. Escondido Adult School	San Diego	13	0
7. La Puente Valley Adult School	Los Angeles	185	70
8. Mira Costa College	San Diego	0	219
9. Mount Diablo Adult School	Contra Costa	61	9
10. Mountain View/Los Altos Adult Education	Santa Clara	136	29
11. North Orange County Community College District	Orange	53	0
12. Redlands Adult School	San Bernardino	33	0
13. Southwestern College	San Diego	38	0
14. Los Angeles County Superintendent of Schools, Downey	Los Angeles	0	0
15. Los Angeles County Superintendent of Schools, Camp Mendenhall	Los Angeles	26	0
<u>Military</u>			
16. Beale Air Force Base	Yuba	0	150
17. Castle Air Force Base	Merced	118	0
18. Camp Pendleton	San Diego	691	243
19. Edwards Air Force Base	Kern	56	34
20. El Toro Marine Corps Air Station	Santa Ana	0	247

*Source: Motorcycle Safety Foundation files. Some sites did not report any training to the MSF during the period, although training may have occurred at these sites.

Training Sites by Category	Students Enrolled	
	County	Advanced Course
21. Naval Air Station, Lemoore	Kings	352
22. Naval Support Activity, Mare Island	Solano	61
23. Naval Training Center	San Diego	7
24. Norton Air Force Base	San Bernardino	206
25. North Island Naval Air Station	San Diego	285
26. Naval Submarine Base, Point Loma	San Diego	0
27. Naval Station Police Academy	San Diego	0
28. Point Mugu Naval Air Station	Ventura	211
29. Port Hueneme Naval Construction Battalion Center	Ventura	185
30. Travis Air Force Base	Solano	0
31. Tustin Marine Corps Air Station	Orange	106
32. U.S. Naval Air Station, Miramar	San Diego	0
33. U.S. Navy Fleet Anti-Sub Warfare Center Pacific	San Diego	72
34. U.S. Navy, Skaggs Island	Sonoma	17
35. Vandenberg Air Force Base	Santa Barbara	0
36. Motorcycle Rider Course Club, March Air Force Base**	Riverside	104
<u>Police Departments</u>		
37. Sonoma Police Department	Tuolumne	0
38. Turlock Police Department	Stanislaus	0

**Site scheduled to receive grant assistance as of October 1983.

<u>Training Sites by Category</u>		<u>County</u>	<u>Students Enrolled</u>	
			<u>Beginners Course</u>	<u>Advanced Course</u>
<u>Others</u>				
39.	Antelope Valley Motorcycle Training Center**	Kern	0	0
40.	Bob Foster's Supercycles	Kern	0	0
41.	Bay Area Institute for Motorcycle Education**	San Francisco	185	0
42.	Central California Motorcycle Riders Institute**	Merced	3	0
43.	Fremont Motorcycle Skills Center**	Alameda	99	71
44.	Gold Duster Motorcycle Club	Sacramento	216	31
45.	Kearney Mesa Recreation Council	San Diego	16	0
46.	Mendocino County Motorcycle Safety Council	Mendocino	0	0
47.	Mid-Peninsula Motorcycle Instruction	San Mateo	130	6
48.	Motorcycle Training Center/Municipal Motorcycle Officers of California	Los Angeles	211	0
49.	Motorcycle Training Center/Long Beach Safety Council	Orange	60	28
50.	Motorcycle Rider Course Skills and Safety	Contra Costa	49	9
51.	Northern California Motorcycle Safety Council	Marin	32	0
52.	R & J Cycles	Solano	46	0
53.	Safe Motorcycle and Rider Training**	Santa Cruz	0	0
54.	Sonoma County Motorcycle Safety Council	Sonoma	94	8
55.	Southern California Institute for Motorcycle Safety**	San Bernardino	25	0
56.	San Diego County Safety Council	San Diego	73	4
57.	U.S. Forest Service, Frazier Park	Kern	0	0
Total Students Enrolled			<u>3,825</u>	<u>2,777</u>

**Site scheduled to receive grant assistance as of October 1983.

cc: Members of the Legislature
Office of the Governor
Office of the Lieutenant Governor
State Controller
Legislative Analyst
Director of Finance
Assembly Office of Research
Senate Office of Research
Assembly Majority/Minority Consultants
Senate Majority/Minority Consultants
Capitol Press Corps